PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Atty. Docket No.:

001107.00087

Shibin ZHOU et al.

09/776,696 Serial No.:

Group Art Unit:

February 6, 2001 Examiner: **TBA**

HUMAN FAST-1 GENE

Confirmation No.: 5642

CHATH-BOOM STATUS REQUEST FOR WITHDRAW HOLDING OF ABANDONMENT

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Filed:

For:

In response to the Notice of Abandonment mailed July 7, 2003, Applicants filed a Request to Withdraw Holding of Abandonment on August 19, 2003. To date, Applicants have not received any communication from the Patent Office, whether the Request to Withdraw Abandonment has been granted. A copy of the Request for Withdraw Holding of Abandonment and date stamped receipt postcard are attached.

It is believed that no fee is required with this paper, however, the Office may consider this a Petition to Revive and may charge any required fee to Deposit Account 19-0733. If there are any questions, please feel free to contact the undersigned at 202-824-3000.

Respectfully submitted,

Dated: February 6, 2006

Registration No. 32,141

Banner & Witcoff, Ltd. Customer No. 22907



	Date 8 19 03 Bldg Rm Atty/Sec SAK NM Client THU Trank Office on the date stamped hereon:
TRADENT'S TRADENT	
en la companya di Caralana	0087 non 8/19/03
PATENT DESIGN BAW Ref. 107.00	0087 Date 8/19/03 P
/ THAND CARRY, Group/Section	Bldg Rm
Samil Barrow Nr. 091776, 10910	ABYSOC SAK NIM BE
truster, 7how et al.	Client THU & G
Title Human Fast - Gene	
	- 1. Office on the data stamped baraco:
The following has been received in the U.S. Patent and Trader	Sequence Listing: Diskette Paper
total pp Spec., including: # of Claims	Amendment Response : OA dtd
Drawings: Formal Informal	Petition for Extension of Time until
# of distinct sheets	□ CPA □ RCE □ w/Ext of Time : OA dtd
☐ Declaration/Power of Attorney : ☐ Executed ☐ Unexecuted	Request for Approval of Drawing Changes
Assignment w/PTO Cover Sheet	□ Notice of Appeal & Fee
DS w/PTO 1449 References w/Fee	☐ Brief: ☐ Appeal & Fee ☐ Reply
Preliminary Amendment	Request for Oral Hearing
Priority Claim (Foreign or U.S. Provisional. B&W #	☐ Issue Fee ☐ Advance Patent Copies (# ordered)
Country Appl. # Date	Notice of Allowance did
w/Foreign Priority Document(s)	Request for Certificate of Correction
Application: CIP Continuation Divisional	☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.
Parent Ser. NoB&W#	Certificate of Making
U.S. Provisionalpp Spec/Claims; Cover Sheet	Charles for S
☐ Response to Missing Parts/Requirements dd	Reg. to With draw Holding of
Response to Notice to File Corrected Applin. Papers dtd	Abandoment with copies of:
☐ Request for Expedited Foreign Filing License ☐ Request for Corrected: ☐ Filing Receipt ☐ Assignment	Response to Missing Parts: Fee
Request for Corrected: Filing Receipt Assignment Response to Restriction/Election Requirement	OFransmittal; Sequence Listing town son
I Hesponse to Resultatora Cascatori Frequirement	Amendment: Figures: Receipt post card
•	
	- I I
PATENT DESIGN BAW Ref. 110	7.00087 nate 8/19/03
HAND CARRY, Group/Section	Bldg / Rm
Serial Patent No. 091776, 1916	Atty/Sec_SAK/N/M
Trie Human Fast - Gene	COST
Time Human Fast - Gene	
The difference of the Health Constant	To demand Office on the data stamped horses:
The following has been received in the U.S. Patent and	Trademark Office on the date stamped fraceut.
total pp Spec. including: # of Claims	Amendment Response: OA dat
☐ Orawings : ☐ Formal ☐ Informal	Petition for Extension of Time until
# of distinct sheets: Figs:	CPA RCE w/Ext of Time : OA pts
☑ Declaration/Power of Attorney: ☐ Executed ☐ Unexecuted	ed Persuet for Annoyal of Drawing Changes
Assignment w/PTO Cover Sheet	Notice of Appeal & Fee AU6 1 9 2003
DIDS w/PTO 1449 References W/Fee	Light: Lighter the Light
Preliminary Amendment	Request for Oral Hearing
Priority Claim (Foreign or U.S. Provisional, 8&W #	☐ Request for Oral Hearing ☐ Issue Fee ☐ Advance Patent Copies (# orolled) ☐ Notice of Allowance did
Country Appl. # Date	
w/Foreign Priority Document(s)	Amendment under 37 CFR 1.312 Request for Certificate of Correction
Application: CIP Continuation Divisi	onal Transmittal Fee Transmittal w/Auth. to Charge Deposit Acct.
Parent Ser. NoB&W#	Certificate of Mailing
U.S. Provisionalpp Spec/Claims; Cover Sheet	Check #tor \$
Response to Missing Parts/Requirements did	- Rea to With draw Holding of
Response to Notice to File Corrected Applin. Papers dtd	- O Abandoment with coores of:
Request for Expedited Foreign Filing License	Response to Missing Parts: Fee
☐ Request for Corrected: ☐ Filing Receipt ☐ Assignm	Orransmittal; Sequence Listing
Response to Restriction/Election Requirement	/
	Amendment; Figures; Receipt post card





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Atty. Docket No.:

001107.00087

Shibin ZHOU et al.

09/776,696 Group Art Unit:

1636

Filed:

Serial No.:

February 6, 2001

TBA

For:

HUMAN FAST-1 GENE

Confirmation No.:

Examiner:

5642

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

VIA FACSIMILE

703-308-7751 (OIPE)

703-308-6916 (Nancy Johnson, Petitions Attorney)

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:



In response to the Notice of Abandonment mailed July 7, 2003, Applicants respectfully request that the Commissioner withdraw the holding of abandonment because the application should not have been held abandoned. The Notice of Abandonment indicates that the basic filing fee and surcharge were not paid. Applicants, however, submitted authorizations for payment of these fees with their timely reply to the Notice to File Missing Parts. The fees were authorized in two places: (1) on page 1 of the Response; and (2) in the fee transmittal. A copy of the Response to Notice of Missing Parts including fee transmittal authorizing payment of filing fees, sequence listing, amendment with respect to sequence listing, figures, and date stamped receipt postcard is attached.

Request to Withdraw Holding of Abandonment

PATENT

U.S. Patent Application No. 09/776,696

It is believed that no fee is required with this paper, however, the Office may consider this a Petition to Revive and may charge any required fee to Deposit Account 19-0733. If there are any questions, please feel free to contact the undersigned at 202-824-3000.

Respectfully submitted,

Dated: August 19, 2003

Registration No. 32,141

Banner & Witcoff, Ltd. Customer No. 22907









UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS P.O. DOX 1450 Advandria, Viginia 22313-1450 www.uspio.gov

APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

09/776,696

02/06/2001

Shibin Zhou

01107.00087

22907 **BANNER & WITCOFF** 1001 G STREET N W **SUITE 1100** WASHINGTON, DC 20001 RECEIVED

OCT 2 9 2005 TECH CENTER 1600/2900

CONFIRMATION NO. 5642 ABANDONMENT/TERMINATION LETTER

OC000000010437283

Date Mailed: 07/07/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/05/2001.

- The reply received on 10/16/2001 was improper. The reply did not include:
 - The surcharge under 37 CFR 1.16(I) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
 - The full amount of the basic filing fee under 37 CFR 1.16(a), (f), (g), or (k). Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(I) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 3 - OFFICE COPY





OCT 2 9 2005

TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:) Group Art Uni	t: 1636
Shibin ZHOU)) BOX: MISSI	NG PARTS
Serial No.: 09/776,696)	105.0005
Filed: February 6, 2001) Docket No. 01	107.00087
For: HUMAN FAST-1 GENE)	

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Assistant Commissioner of Patents

Washington, D.C. 20231 Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts Of Non-provisional Application, dated September 5, 2001, the Applicant is hereby submitting a Request to Use Computer Readable Form and corrected drawings.

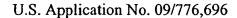
The Commissioner is authorized to charge \$750.00 to Deposit Account No. 19-0733, to cover the following:

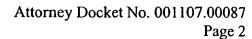
\$370.00 - Basic Filing Fee;

\$ 63.00 - 7 total claims over 20;

\$252.00 - 6 independent claims over 3;

\$ 65.00 - Surcharge for late declaration.





It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

Respectfully submitted,

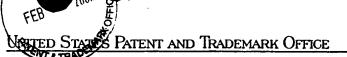
October 1b, 2001

Banner & Witcoff, LTD. Eleventh Floor 1001 G Street, N.W. Washington, D.C. 2001 (202) 508-9100 Ву:

Sarah A. Kagan

Registration No. 32,141





COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
WWW.USDFO.GOV

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/776,696

02/06/2001

Shibin Zhou

01107.00087

CONFIRMATION NO. 5642

22907 BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001 RECEIVED

001 2 9 2005

FORMALITIES LETTER

OC0000000005513112

TECH CENTER 1600/2900

Date Mailed: 09/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

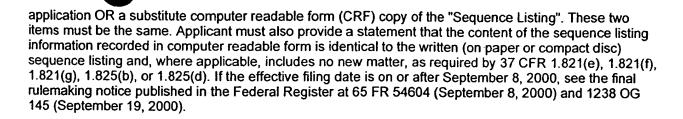
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$303.
 - \$63 for 7 total claims over 20.
 - \$240 for 6 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 723.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form
 of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or
 compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the



For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Complete if Known

09/776,696

TBA

1636

Application Number

Examiner Name

Group / Art Unit

TOTAL AMOUNT OF PAYMENT (\$)

001107.00087 Attorney Docket No.

		METHOD	05.5	AVAIENT (.h ana)			T			EEE C	ALCHI ATION (continued)	
METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)								
The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:			J. AUL	3. ADDITIONAL FEES Large									
			1_	Entity	_	Small Entity		-					
Depo	sit							Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Accou		19-0733	1					105	130	205	65	Surcharge - late filing fee or oath	65.00
Number					127	50	227	25	Surcharge - late provisional filing fee or cover sheet.				
Depo: Accou		Banner	& Witc	noff				139	130	139	130	Non-English specification	
Name							J	147	2,520	147	2,520	For filing a request for reexamination	
		y Additional CFR 1.16 a						112	920°	112	920*	Requesting publication of SIR prior to Examiner action	
⊠ 4		daims smai						113	1,840*	113	1,840*	Requesting publication of SIR after	
2.		nt Enclose	d:	~				115	110	215	55	Extension for reply within first month.	4
n	Check	☐ Credi	t card	☐ Money		Other		116	400	216	200	Extension for reply within second	
		_		Order				j				month]]
		F	EE C	LCULATION				117	920	217	460	Extension for reply within third month	# 1
1. B	ASIC FI	LING FEE						118	1,440	218	720	Extension for reply within fourth month	₽ P
Large	Entity	Small Er	ntity					128	1,960	228	980	Extension for reply within fifth month	
Fee		Fee Fe		Fee Descriptio	n	Fee Pai		119	320	219	160	Notice of Appeal	8 14
Code		Code (\$	-	r Mille - Ett 6	ſ	370.00		120	320	220	160	Filing a brief in support of an appeal	<u> </u>
101		201 37		Utility filing fee		370.00		121	280	221	140	Request for oral hearing	
106 107		206 16 207 25		Design hing fee Plant filing fee	Design filing fee			138	1,510	138	1,510	Petition to institute a public use proceeding	
108	740	208 37	70	Reissue filing fe	e [140	110	240	55	Petition to revive – unavoidable	
114 160 214 80 Provisional filling fee				141	1,280	241	640	Petition to revive – unintentional					
				142	1,280	242	640	Utility issue fee (or reissue)					
SUBTOTAL (1) (\$) 370.00					143	460	243	230	Design issue fee				
2. EXTR	A CLAII	M FEES						144	620	244	310	Plant issue fee	
]				Extra	Fee from	Fee		122	130	122	130	Petitions to the Commissioner	
l					below	Paid		123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
Total Claim Independen			= [9	= 6	亏	126	180	126	180	Submission of Information Disclosure Strnt	
Ctaims Multiple	9		=	6 X	42	= 25	2	581	40	581	40	Recording each patent assignment per property (times number of properties)	
Dependent Large	Entity	Small	Entity		<u></u>	<u> </u>		146	740	246	370	Filing a submission after final rejection	
Fee	Fee	Fee	Fee	Fee Descrip	ition			149	740	249	370	(37 CFR § 1.129(a)) For each additional invention to be	
Code 103	(\$) 18	Code 203	(\$) 9	Claims in ex	cess of 20							examined (37 CFR § 1.129(b))	
103	84	203	42		Claims in excess of 20 Independent claims in excess of 3			179	740	279	370	Request for Continued Examination (RCE)	
104	280	204	140	•	Multiple dependent claim, if not paid			169	900	169	900	Request for expedited examination	
109	84	209	42	** Reissue independent claims over original patent								of a design application	
110 18 210 9 "Reissue claims in excess of 20 and over original patent													
				over ungmar	Parcil			Other fe	ee (specif	y)	-		
SUBTOTAL (2) (\$) 315.00													
**or number previously paid, if greater, For Reissues, see above					*Redu	ced by Ba	sic Filin	g Fee P	aid SUBTOTAL (3) (\$) 65	.00			
**or num	ber previo	usty paid, if o	reater	For Reissues, s	ee above			L					

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Secah A. Kagan	Registration No. Attorney/Agent)	32,141	Telephone	202-508-9100
Signature	1/10	Ullez L		Date	October 16, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	·
Shibin ZHOU	Group Art Unit: 1636
Serial No. 09/776,696	Examiner: TBA
Filed: February 6, 2001	Attorney Docket No. 01107.00087
For: HUMAN FAST-1 GENE	A A
AMENDMENT AND RESPO	NSE TO NOTICE TO
COMPLY WITH SEQUENCE	NSE TO NOTICE TO CELISTING RULES ECHCELISTING RULES
Assistant Commissioner of Patents and Trademarks Washington, D.C. 20231	CH CENTER 1605
Sir:	200 _{/2900}
When filing the subject application on 6 Febr	uary 2001, Applicants submitted a substitute

AMENDMENT AND RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE LISTING RULES

When filing the subject application on 6 February 2001, Applicants submitted a substitute sequence listing in paper form and asked that the computer readable form of the parent application be used for examination. A copy of these papers are attached.

IN THE SPECIFICATION:

Delete pages 29-41 and add the new sequence listing to the end of the application. Renumber pages 42-48 as pages 29-35.

By:

STATEMENT:

The new sequence listing adds no new matter.

Respectfully submitted,

Date: October 16, 2001

Registration No. 32,141

BANNER & WITCOFF, LTD. 1001 G Street, N.W., Eleventh Floor Washington, D.C. 20001-4597 (202) 508-9100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Shibin Zhou et al) Prior Group Art Unit: 1636
) Prior Examiner: T. McKelvey
Serial No. Unasigned	j
Filed: February 7, 2001) Atty. Dkt. No. 01107.00087
For: HUMAN FAST-1 GENE	2
	the text of the
SEQUENCE RULES O	COMPLIANCE
Assistant Commissioner of Patents & Trademarks	THE OF THE PERSON OF THE PERSO
Washington, D.C. 20231	
Dear Sir:	To the second
A	

SEQUENCE RULES COMPLIANCE

A paper copy of a substitute sequence listing submitted in parent application U.S. Serial No. 09/113,, 309 is submitted herewith. Please use the computer readable form submitted in the parent application on 18 November 1999 for examination of the subject application.

The content of the two forms, paper and CRF, are believed to be identical.

Respectfully submitted,

12-06-01

Date

BANNER & WITCOFF, LTD. 1001 G Street, N.W. - Eleventh Floor Washington, D.C. 20001-4597 Telephone: 202/508-9100

Reg. No. 32,141



FEB 0 6 2006 B	`
	× · ·
PATENT DESIGN BENTATE DO 1107, 000 87 Date 10.16-01	•
Serial/Patent No. 09 177/ 191	
Inventor ZHOU Atty/Sec OAK/MAA Title Human Factor Client THU	
Francis That - 1 Chal	
The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:	_
(# of independent claims); Abstract	
# of distinct sheets Figs. Figs. CPA	_
Assignment w/PTO Cover Sheet Assignment w/PTO Cover Sheet	
☐ Preliminary Amendment ☐ Priority Claim (Foreign or U.S. Provisional Pelus (OCT 1 6 2001 ☐ Request for Oral Hearing	
Country April # Notice of Allowance Patent Copies (# ordered	_)
□ w/Foreign Priority Document(s) □ Application : □ CIP □ Continuation □ Divisional □ Request for Certificate of Correction	
Transmittal Fee Transmittal w/Auth. to Charge Deposit Acc	ct.
Response to Notice to File Corrected Apple Description	
Request for Expedited Foreign Filing License	_
Request for Corrected: Filing Receipt Assignment	-
BAW See . Sa	<u>.</u>

RECEIVED

OCT 2 9 2005

CIPCENTER 1600/2900